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MDL 1735

2:06-CV-00225-PMP-PAL

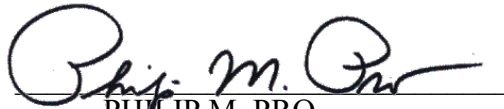
ORDER

Before the Court is Appellants Jessica Lynn Gaona, Stephanie Swift, Deborah Maddox and Fatima Andrews' Joint Motion to Vacate the Show Cause Hearing Scheduled for May 18, 2010 (Doc. #622). The Court finds no hearing on Appellants' motion is necessary and that it should be denied. "Absent a stay, 'all orders and judgments of courts must be complied with promptly.'" Donovan v. Mazzola, 716 F.2d 1226, 1240 (9th Cir. 1983) (quoting Maness v. Meyers, 419 U.S. 449, 458 (1975)). "If the appellants believed that the district court incorrectly issued an order, their remedy was to appeal and request a stay pending the appeal." In re Crystal Palace Gambling Hall, Inc., 817 F.2d 1361, 1365 (9th Cir. 1987). A district court retains jurisdiction to supervise and enforce its own order if the order is not stayed pending appeal and no bond is filed. Island Creek Coal Sales Co. v. City of Gainesville, Fla., 764 F.2d 437, 440 (6th Cir. 1985). As stated by the United States Court of Appeals for the Fifth Circuit, "a court maintains continuing jurisdiction to enforce a judgment. Until the judgment has been properly stayed or superseded, the district court may enforce it through contempt sanctions." U.S. v. Revie, 834 F.2d 1198, 1205 (5th Cir. 1987).

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1 IT IS THEREFORE ORDERED that Appellants Jessica Lynn Gaona, Stephanie
2 Swift, Deborah Maddox and Fatima Andrews' Joint Motion to Vacate the Show Cause
3 Hearing Scheduled for May 18, 2010 (Doc. #622) is hereby DENIED without prejudice to
4 Appellants seeking relief before the United States Court of Appeals for the Ninth Circuit.

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6 DATED: May 12, 2010

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8 PHILIP M. PRO
9 United States District Judge
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